

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 44-69 are pending. In the present amendment, Claims 44, 45, 50, 52, 56, 64, and 66 are amended; and Claim 69 is added. Support for the present amendment can be found in the originally filed specification, for example, at page 6, line 24 to page 8, line 3. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, Claims 44, 48-53, 55, 56, 62-66, and 68 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino (U.S. Patent 6,634,845) in view of Agner et al. (U.S. Publication No. 2001/0041143, hereinafter “Agner”) and Sherman (U.S. Patent 5,916,365); Claims 45-47 and 57-59 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Agner and Sherman, and further in view of Dandl et al. (U.S. Publication No. 2001/0016166, hereinafter “Dandl”) and Fink (U.S. Patent 7,163,603); Claims 54 and 67 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Agner and Sherman, and further in view of Carducci et al. (U.S. Publication No. 2003/0038111, hereinafter “Carducci”); and Claims 60 and 61 were rejected under 35 U.S.C. §103(a) as unpatentable over Komino in view of Agner and Sherman, and further in view of Ishii (U.S. Patent 5,685,942).

First, Applicant wishes to thank Examiner Chandra and Primary Patent Examiner Lund for the courtesy of an interview granted to Applicant’s representatives on August 15, 2007, at which time the outstanding issues in this case were discussed. As discussed in the interview, Applicant presents detailed amendments herein to emphasize reconfigurability of the process chamber in an effort to obtain allowability of the method and/or apparatus claims. As also discussed during the interview, however, Fink does not qualify as prior art under any section of 35 U.S.C. §102. Therefore, as noted in the Interview Summary, even if this

amendment does not result in allowance, the Examiner will withdraw finality in the next Office Action.

In the interest of moving prosecution forward, as discussed during the interview, independent Claims 44 and 56 are amended to emphasize the reconfiguration of the pumping cells and the seals to reconfigure the gas flow. Amended Claim 56 recites:

A method of making an improved vacuum processing apparatus, comprising:

providing a processing chamber, including

a lower wall;

an upper wall;

a side wall coupled to the lower wall and the upper wall; and

a plurality of pumping ports, formed in one of the lower wall, the upper wall, or the side wall;

connecting a pumping cell, integrally including a vacuum pump and a valve, to a first pumping port;

connecting a seal to a second pumping port such that the seal blocks a gas flow through the second pumping port;

removing the pumping cell from the first pumping port and providing a substitute seal to the first pumping port such that the substitute seal blocks a gas flow through the first pumping port; and

removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the vacuum processing apparatus is reconfigured by the providing the substitute seal to the first pumping port and the providing the substitute pumping cell to the second pumping port.

As discussed during the interview, none of the references cited in rejecting the independent claims (Komino, Aigner, and Sherman) disclose or suggest repositioning pumping cells or seals to reconfigure the gas flow in the processing apparatus. Amended Claim 56 recites, in part, “removing the pumping cell from the first pumping port and

providing a substitute seal to the first pumping port such that the substitute seal blocks a gas flow through the first pumping port; and removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the vacuum processing apparatus is reconfigured by the providing the substitute seal to the first pumping port and the providing the substitute pumping cell to the second pumping port.” Applicant notes that the substitute seal provided to the first pumping port may be the same seal that is removed from the second pumping port, or a different seal. Additionally, the substitute pumping cell provided to the second pumping port may be the same pumping cell removed from the first pumping port or a different pumping port. Thus, the method of making an improved vacuum processing apparatus recited in Claim 56 is aimed at pumping cells and seals that can be reconfigured within the various pumping ports such that the gas flow is also reconfigured.

As discussed during the interview, neither Komino nor Agner, nor Sherman describes that a pumping port can have a seal connected thereto, the seal is then removed, and then a substitute pumping cell is provided to that pumping port. Further, none of the cited references disclose or suggest altering the positions of a seal or a pumping cell to reconfigure a gas flow. Thus, even when taken in combination, Komino, Agner, and Sherman do not disclose or suggest “removing the pumping cell from the first pumping port and providing a substitute seal to the first pumping port such that the substitute seal blocks a gas flow through the first pumping port; and removing the seal from the second pumping port and providing a substitute pumping cell to the second pumping port such that a gas flow through the vacuum processing apparatus is reconfigured by the providing the substitute seal to the first pumping port and the providing the substitute pumping cell to the second pumping port,” as recited in Claim 56. Thus, it is respectfully requested that the outstanding rejection of Claim 56, and all

claims dependent thereon, as unpatentable over Komino in view of Agner and Sherman, be withdrawn.

Additionally, regarding the remaining secondary references (Dandl, Carducci, and Ichii) it is respectfully submitted that none of these secondary references cure the above-noted deficiencies of Komino, in view of Agner and Sherman. Thus, it is respectfully requested that the rejections of Claim 56, and all claims dependent thereon, be withdrawn.

New Claim 69 finds support in the original specification, for example, at page 6, line 24 to page 8, line 3. Thus, it is respectfully submitted that no new matter is added. Further, it is noted that Claim 69 depends from Claim 56. Therefore, for at least the reasons discussed above, it is respectfully submitted that Claim 69 patentably defines over the cited references.

Claim 44 recites, in part, “wherein the pumping cell is removed from the first pumping port and a substitute seal is provided to the first pumping port, the substitute seal being configured to block a gas flow through the first pumping port, and wherein the seal is removed from the second pumping port and a substitute pumping cell is provided to the second pumping port such that a gas flow through the vacuum processing apparatus is reconfigured by providing the substitute seal to the first pumping port and providing the substitute pumping cell to the second pumping port.” As discussed above, it is respectfully submitted that none of the cited references describe removing a pumping cell from a pumping port and replacing it with a substitute seal, and removing a seal from a pumping port and replacing it with a substitute pumping cell, such that a gas flow in an apparatus is reconfigured. Therefore, for at least the reasons discussed above, it is respectfully requested that the outstanding rejections of Claims 44, and all claims dependent thereon, under 35 U.S.C. §103(a) be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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